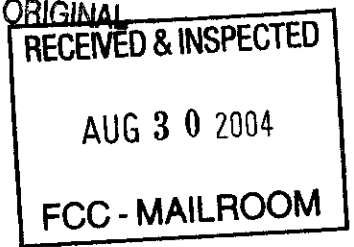


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**Before the
Federal Communications Commission
Washington, D. C. 20554**



In the Matter of)

Amendment of Section 73.207 of the)
Commission's Rules and Regulations)
Table of FM Allotments)
(Eatonton, Georgia and Lincolnton, Georgia)

MB Docket No. _____
RM- _____

TO: Audio Division

SUPPLEMENT TO PETITION FOR RULE MAKING

Middle Georgia Communications, Inc. (hereinafter "Middle Georgia"), by its attorney, hereby supplements its Petition for Rule Making, filed in this proceeding under date of June 17, 2004, as follows:¹

1. Under date of June 17, 2004, Middle Georgia, the licensee of FM Broadcast Station WMGZ, Eatonton, Georgia, filed a Petition for Rule Making, looking towards a change of location of Station WMGZ from Eatonton, Georgia, to Lincolnton, Georgia, and for an upgrade in the station's facilities from Class C3 facilities on Channel 249 to Class C2 facilities on the same channel at Lincolnton. When the Petition for Rule Making was filed, Middle Georgia believed that the proposed changes would provide a first local broadcast facility to the community of Lincolnton in accordance with the Commission's FM allotment priorities.² Subsequently, however, Middle

¹Because no notice of proposed rule making has been issued in this proceeding, this supplement is timely and does not require a motion for leave to accept the supplement.

²The FM allotment priorities are: (1) first fulltime aural service; (2) second fulltime aural service; (3) first local service; and (4) other public interest matters. Co-equal weight is given to priorities (2) and (3). *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88

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Georgia's engineering consultant learned that a Class A channel has already been assigned to the community of Lincolnton and that, accordingly, the proposed facility changes would not provide a first local broadcast service to the community.

2. Middle Georgia hereby amends its proposal in this proceeding to propose instead that Station WMGZ be moved from Eatonton, Georgia, to Lexington, Georgia, and that the Table of FM Allotments be changed to reflect the following:

	Eatonton, Georgia	Lexington, Georgia
Present	249C3	-----
Proposed	-----	249C2

3. As shown in the accompanying technical statement prepared by Clyde Scott, Jr., Lexington, Georgia, is an incorporated community, governed by a mayor and five city councilmen. It is the county seat of Oglethorpe County (2000 Census 12,635 persons). While the 2000 population of Lexington is only 239 persons, this number is deceptively small due to the extremely small city limits.³ The practical population living around the community and working in the county offices located within the community is much higher. Lexington has its own post office, with its own zip code, 30648, and various services described in Mr. Scott's statement.

4. Operating from Lexington, Station WMGZ's 70 dbu contour will not overlap any part of any urbanized area. Therefore, a *Tuck* showing is not necessary. *Faye and Richard Tuck*, 3 FCC Rcd 5374. See, also, *Chase City, Virginia*, DA 03-3551, 2003 WL22682099 (Audio Division,

(1988).

³The Commission generally presumes that incorporated communities have a need for local broadcast service. *Kingstree and McClellanville, SC*, 3 FCC Rcd 1637 (1988).

2003), holding that a *Tuck* showing is not needed if an allotment will serve less than 50% of an urbanized area. Here, the allotment will not serve any part of any urbanized area.

5. As shown by Mr. Scott's statement, Channel 249C2 can be allotted to Lexington in full conformity with all of the FCC's Rules and Regulations. The allotment of the channel to Lexington will not deprive Eatonton of local broadcast service. To the contrary, Eatonton will continue to receive local broadcast service from Station WKBQ(AM). The proposed facility will, however, provide Lexington with its first local broadcast service. Consequently, the changes proposed herein are consistent with the Commission's FM allotment priorities, cited previously, and with the Commission's mandate under 47 U.S.C. Section 307(b), to provide for a "fair, efficient and equitable" distribution of radio service.

6. If the Commission reallocates Channel 249 from Eatonton, Georgia, to Lexington, Georgia, and modifies the license of Station WMGZ to specify operation at Lexington on Channel 249C2, Middle Georgia will promptly file an application to implement the change. Furthermore, if the application is granted, Middle Georgia will promptly construct the Class C2 facilities and place them in operation in the public interest.

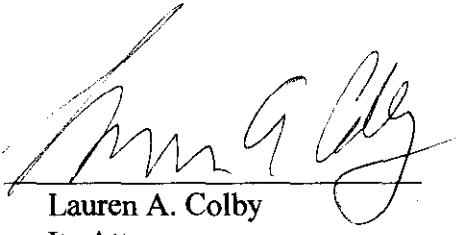
Respectfully submitted,

August 27, 2004

MIDDLE GEORGIA COMMUNICATIONS, INC.

Law Office of
LAUREN A. COLBY
10 E. Fourth Street
P.O. Box 113
Frederick, MD 21705-0113

By:


Lauren A. Colby
Its Attorney

MIDDLE GEORGIA COMMUNICATIONS, INC.
WMGZ (FM)
EATONTON, GEORGIA

TECHNICAL STATEMENT
IN SUPPORT OF
PROPOSED RULEMAKING
LEXINGTON, GEORGIA

August 2004

The following technical statements, and related exhibit, have been prepared for Middle Georgia Communications, Inc., and are in support of an amendment of section 73.202 (b) of the Commission's rules to change the city of license of FM radio station WMGZ from Eatonton to Lexington, Georgia and a change in domestic class from C3 to C2. This proposal requests the FM table of allotments be changed to reflect the following.

	Eatonton, GA	Lexington, GA.
Present	249C3	---
Proposed	---	249C2

In the original proposal, it was stated that that proposal would provide Lincolnton with its first local service. It was discovered at a later date that indeed channel 254A had been assigned to Lincolnton. This proposal would provide second service, not first. Since the intended purpose was to provide first service and to increase the class of WMGZ from C3 to C2, this modification for Lincolnton to Lexington, Georgia is offered.

Also included in this supplement is a gain/loss showing. Offered as exhibit 1 is a plot that shows the present, proposed, and overlap region, 70 dBu (1.0 mV/m) contour, and the population within each. This exhibit shows a net gain of 8,153 persons would receive new service by this proposal.

The proposed 70 dBu contour does not penetrate any recognized urbanized area, therefore, no "tuck" study is required or offered.

Lexington, Georgia is the county seat of Oglethorpe County. The community was founded originally in 1797 and was incorporated November 24, 1806. The

2000 Census shows a population of 239 people. This number is deceptively low due to the extremely small city limits. The practical population in and around Lexington is much larger.

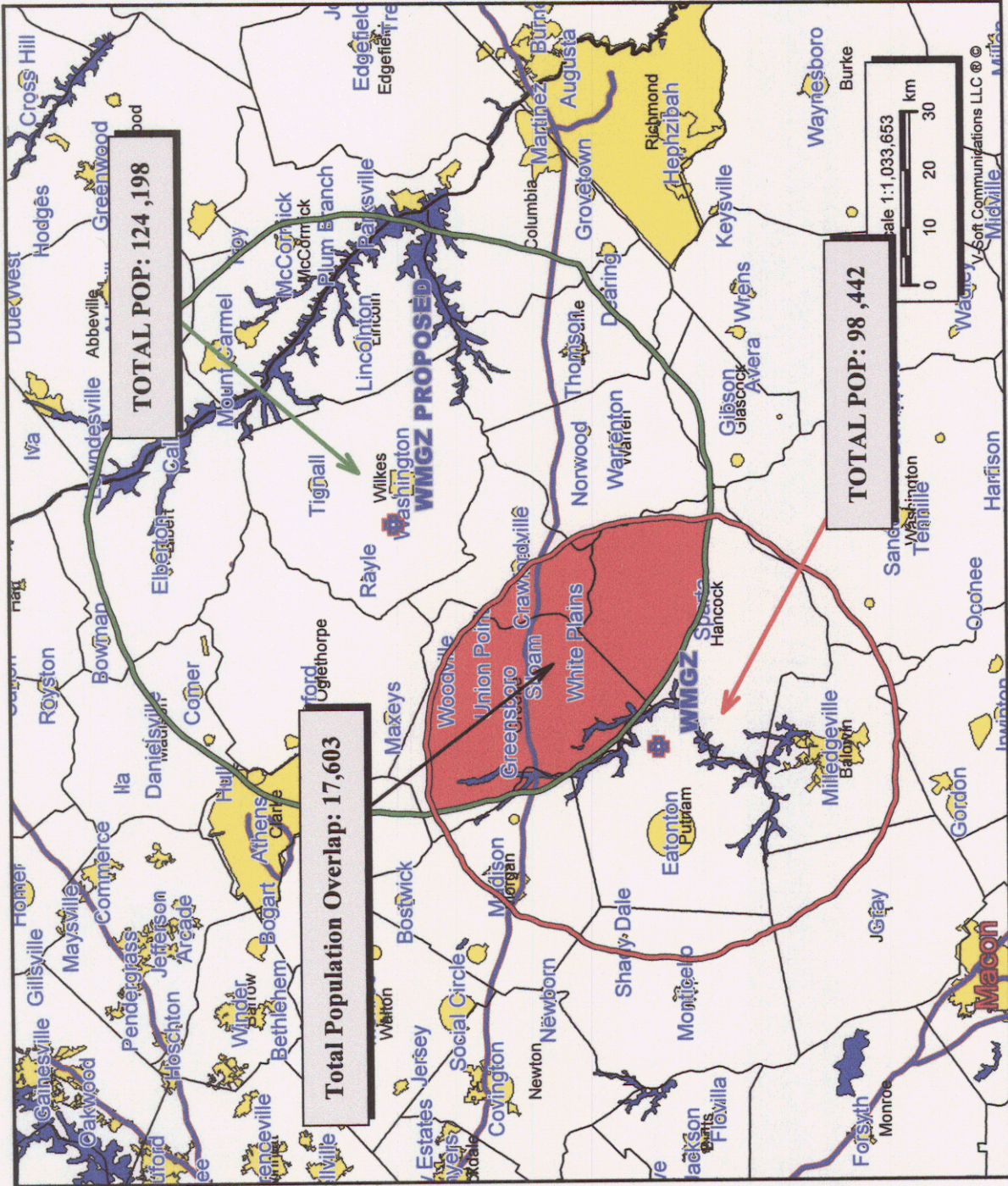
In the heart of Lexington stands the Oglethorpe County courthouse. Constructed in 1887, this Romanesque Revival structure is listed on the National Register of Historic Places. The courthouse was renovated during the 1990s and currently houses numerous government offices and courts.

The city is governed by a Mayor and a five (5) person Council. The city services include: city water provided from water wells and stored in two water storage towers, city trash pickup inside the city limits, and fire protection provided in the city and by contract outside the city limits. The central business district includes numerous retail and service providers such as Pinnacle Bank. Lexington has a Post Office with its own zip code - 30648. In addition to the courthouse offices, there is also a City Hall and Sheriff's Offices. Lexington is also home to offices of the Board of Commissioners, Magistrate Judge, Tax Commissioner, Health Department, and Department of Family and Children's Services.

Conclusion

Middle Georgia Communications, Inc. requests the Commission amend section 73.202 (b) of the Commissions rules to reflect a change in the city of license of FM station WMGZ from Eatonton to Lexington, Georgia. The above technical statement and related attached exhibits show that this proposal passes muster with all Commissions rules and therefore should be granted.

Clyde Scott, Jr.
EME Communications
293 JC Saunders Road
Moultrie, GA 31768
229-890-2506
cscott@emecom.com



WMGZ PROPOSED SITE
FOR LEXINGTON, GEORGIA

REFERENCE
33 45 03 N
82 48 53 W

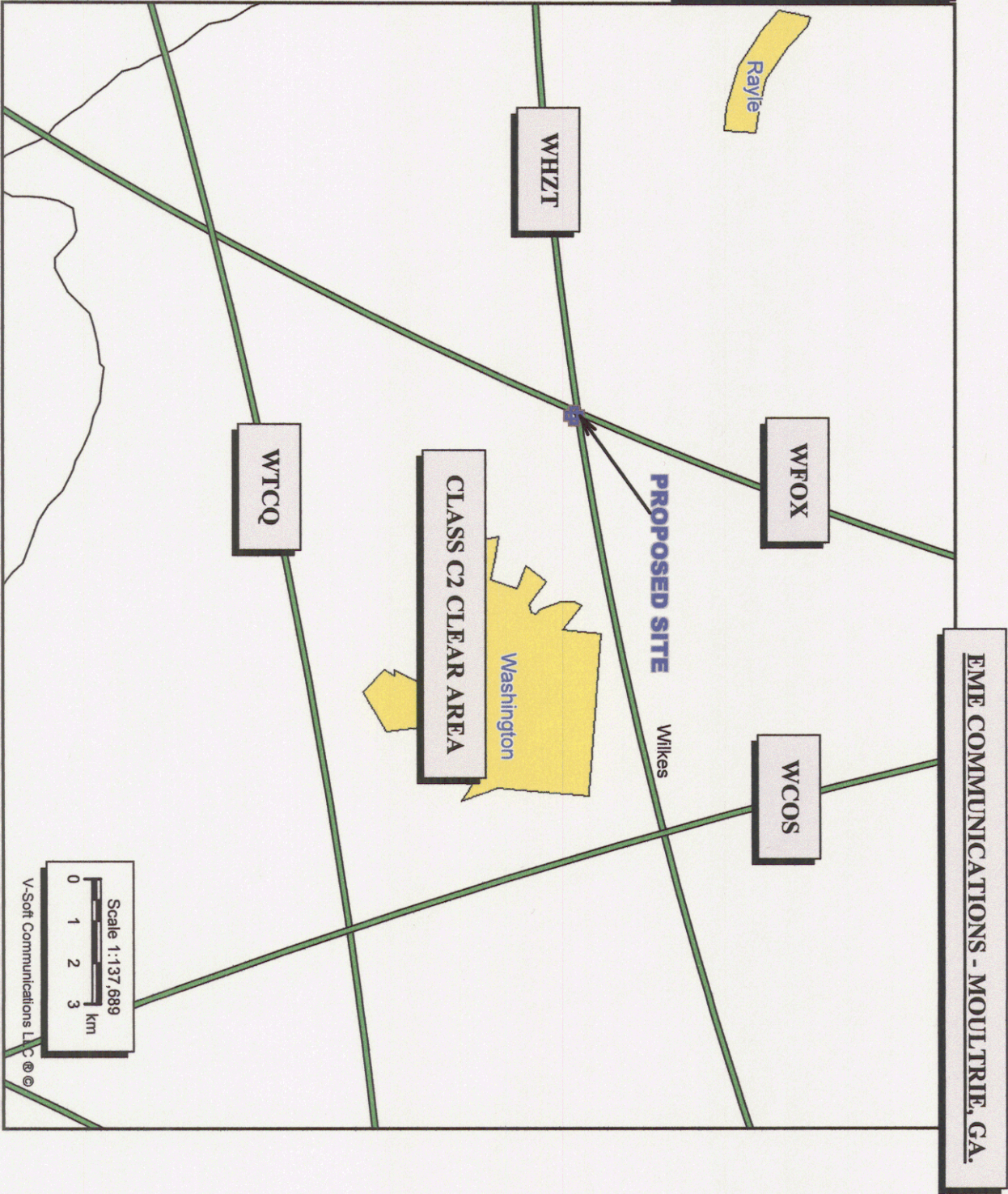
CLASS = C2
Current Spacings

DISPLAY DATES
DATA 08-06-04
SEARCH 08-19-04

----- Channel 249 - 97.7 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
WHZT	LIC 251C	Seneca	SC 105.09	351.4	105.0	0.09
WFOX	LIC 246C	Gainesville	GA 105.10	293.7	105.0	0.10
WTCQ	LIC 249A	Vidalia	GA 173.44	168.2	166.0	7.44
WCOSFM	LIC 248C1	Columbia	SC 168.19	74.6	158.0	10.19
WIIZ	LIC 250C2	Blackville	SC 150.37	117.7	130.0	20.37
WHZT.A	APP-Z 251C1	Seneca	SC 107.24	10.3	79.0	28.24
WSLT	LIC 252A	Clearwater	SC 92.75	109.6	55.0	37.75
WIBBFM	LIC 250C3	Fort Valley	GA 157.74	214.0	117.0	40.74
WPEG	LIC-D 250C	Concord	NC 234.82	39.8	188.0	46.82
WPZE	LIC 248C3	Fayetteville	GA 166.62	260.5	117.0	49.62
WKCX	LIC-Z 249C3	Rome	GA 229.52	284.3	177.0	52.52
WUFFFM	LIC 248A	Eastman	GA 173.24	192.7	106.0	67.24
WUFFFM	APP 248A	Eastman	GA 173.72	192.6	106.0	67.72
AL251	RSV 251C3	East Dublin	GA 132.73	175.5	56.0	76.73
WELT.C	CP 251C3	East Dublin	GA 134.25	173.3	56.0	78.25
WELT	LIC 251A	Swainsboro	GA 135.97	161.8	55.0	80.97
WJXBFM	LIC 248C	Knoxville	TN 270.64	338.2	188.0	82.64
WKAA	LIC-N 249A	Ocilla	GA 251.29	191.3	166.0	85.29

PROPOSED SITE
LEXINGTON, GA.
Latitude: 33-45-03.21 N
Longitude: 082-48-52.91 W
ERP: 50.00 kW
Channel: 249
Frequency: 97.7 MHz
AMSL Height: 311.451 m
Elevation: 162.73 m
Horiz. Pattern: Omni
Vert. Pattern: No
Prop Model: None



RADD

Latitude: 33-45-03 N
Longitude: 082-48-53 W
ERP: 50.00 kW
Channel: 249
Frequency: 97.7 MHz
AMSL Height: 311.0 m
Elevation: 162.86 m
Horiz. Pattern: Omni
Vert. Pattern: No
Prop Model: None

PROPOSED 70 dBu CONTOUR

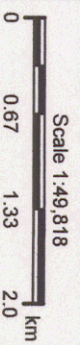
**PROPOSED CITY
OF LICENSE**

EME COMMUNICATIONS - MOULTRIE, GA.

Lawford

Lexington

Oglethorpe



V-Soft Communications LLC ©

LINE OF SITE FROM PROPOSED SITE TO LEXINGTON CITY CENTER

